IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

WP(C).No. 2553 of 2007(D)

PETITIONER:

C.R. MANOHARAN, KARAYATHARA HOUSE,
POONITHURA, TRIPUNITHURA.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:

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1. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE
FUND BOARD, ERNAKULAM.

2. THE GOVERNMENT OF KERALA,
REPRESENTED BY COMMISSION & SECRETARY
TO LABOUR DEPARTMENT, THIRUVANANTHAPURAM.

3. THE DISTRICT COLLECTOR,
ERNAKULAM.

R1 BY ADV.SRI.P.RAMAKRISHNAN, S.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.2553 OF 2007

Dated this the 31st day of January, 2007

JUDGMENT

Heard learned counsel for the petitioner and learned Standing Counsel for the first respondent.

2. The petitioner has filed Ext.P2 appeal before the Government against Ext.P1 final determination order under the Kerala Motor Transport Workers Welfare Fund Act. The Government, while entertaining the appeal, have granted an order of stay of recovery on the basis of Ext.P1 on condition that the petitioner remits 35% of the balance amount within two months from the date of that order.

Having heard learned counsel, I do not find any legal infirmity in Ext.P3, which, essentially, has been passed at the discretion of the authority. The writ petition fails. The same is dismissed in limine.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.